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**Testimony of the Insurance Law Section
of the CT Bar Association**

In OPPOSITION to

BILL# 5195

HB5195, "An Act Requiring Uninsured and Underinsured Motorist Coverage to be Optional and Repealing the Prohibition on Subrogation of Underinsured Motorist Claims."

Insurance and Real Estate Committee

The objective of the uninsured and underinsurance motorist coverage requirements are to provide insurance coverage to compensate motor vehicle accident victims for damages they sustain as a result of the negligence or recklessness of a motor vehicle operator or owner who does not carry the legally required liability insurance or who does not carry sufficient liability insurance to compensate the victims for their damages. It establishes a minimum level of protection to those insured under their own liability policies.

Abolishing the requirement that all insurance policies issued in Connecticut provide uninsured and underinsured motorist coverage equal to the limits of the liability coverage under the policy would eliminate necessary protection for Connecticut policyholders if the policyholder elects to decline such insurance.

Policyholder consumers who do not understand the importance of uninsured and underinsured motorist coverage may simply elect to not accept such coverage in order to save money on insurance premiums. The cost savings to individual policyholders in Connecticut is minimal when compared to the consequences of not having uninsured and underinsured motorist coverage to protect them in the event that they are injured as a result of the negligence or recklessness of an uninsured or underinsured tortfeasor.

Moreover, the Connecticut Trial Lawyers, the Professional Insurance Agents of Connecticut and the State of Connecticut Department of Insurance have all testified in opposition to the bill. As articulated by these entities, the bill is contrary to public policy and the public interest.